

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

First Named Inventor :	Mo Xu et al.	Appeal No.
Appln. No. :	10/630,207	
Filed :	July 30, 2003	Group Art Unit: 2018
For :	PERFORMANCE FLOW GUIDE FOR IMPROVED ACOUSTICS	Examiner: Edgardo San Martin
Docket No.:	S01.12-1167/STL11080.0	

SUBSTITUTE BRIEF FOR APPELLANT

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**Electronically Filed
July 30, 2009**

Sir:

This is an appeal from a Final Office Action dated March 20, 2009 in which claims 1, 3, 5-7, 9, 18-20, 22-24, 26 and 28-34 were finally rejected.

STATEMENT OF REAL PARTY IN INTEREST

Seagate Technology LLC, a limited liability company organized under the laws of the state of Delaware, and having offices at 920 Disc Drive, Scotts Valley, California, has acquired the entire right, title and interest in and to the invention, the applications, and any and all Letter patents to be obtained therefor, as set forth in the Assignment filed with the patent application and recorded on Reel 014356, frame 0851.

STATEMENT OF RELATED APPEALS AND INTERFERENCES

There are no prior or pending appeals, judicial proceedings or interferences, known to the appellant that are related to, directly affected by, or that have bearing on the Board's decision in this appeal.

STATUS OF THE CLAIMS

Claims Rejected:	Claims 1, 3, 5-7, 9, 18-20, 22-24, 26 and 28-34
Claims Allowed:	none

Claims Withdrawn: none
Claims Objected to: none
Claims Cancelled: 2, 4, 8, 10-17, 21, 25 and 27
Claims Appealed: 1, 3, 5-7, 9, 18-20, 22-24, 26, 28-34

STATUS OF AMENDMENTS

There have been no amendments to the claims after the final rejection mailed January 13, 2009.

SUMMARY OF THE CLAIMED SUBJECT MATTER

The subject matter of claim 1 relates to an enclosure 100 comprising a housing 110 and an airflow guide 200. As disclosed the air flow guide 200 projects from the housing 110 in a fluid flow region and serves to direct or guide fluid flow and/or encourage laminar flow within the housing 110. Applicants' specification, FIG. 1, page 4, lines 1-20 and page 5, lines 8-29. The airflow guide 200 is formed of an elongate elastomeric body that forms a barrier surface that is non-permeable to fluid flow as shown in FIG. 2. Applicants' specification, page 5, lines 8-29. The airflow guide 200 is in the fluid flow region to guide the fluid flow path. As described the barrier surface may serve as a guide to channel fluid flow towards a filtration unit as illustrated in FIGS. 3 and 5-6. The barrier surface or airflow guide 200 may also serve as a flow diverter for directing fluid flow away from components within the housing 110 or used to control fluid flow to prevent turbulent flow. Applicants' specification, page 4, lines 1-20.

The subject matter of claim 9 relates to a data storage device 100 comprising a housing 110 and an airflow guide 200. As disclosed the air flow guide 200 projects into the housing 110 and serves to direct or guide fluid flow and/or encourage laminar flow within the housing 110 of the data storage device 100. Applicants' specification, FIG. 1, page 4, lines 1-20 and page 5, lines 8-29. The airflow guide 200 comprises an elastomeric body forming a barrier surface that is non-permeable to fluid flow along a length thereof as shown in FIG. 2. Applicants' specification, page 5, lines 8-29. As described the barrier surface may serve as a guide to channel fluid flow towards a filtration unit as illustrated in FIGS. 3 and 5-6. The barrier surface or airflow

guide 200 may also serve as a flow diverter for directing fluid flow away from components within the housing of the data storage device 100 or used to control fluid flow to prevent turbulent flow. Applicants' specification, page 4, lines 1-20.

As recited in claim 32, the airflow guide 200 is formed on a cover portion 114 of the housing or enclosure, which is connectable to a base portion 112 as shown in FIG. 1. The airflow guide 200 is formed of an elastomeric body (e.g. FIPG material) including a raised body portion extruded directly on the cover portion 114. As described, the airflow guide 200 is formed of the deposited body or elastomer having a surface contour formed by an outer surface of the extruded elastomeric body for directing or diverting airflow. Applicants' specification, page 5, lines 20-29.

As required by 37 C.F.R. § 41.37(c)(1)(v), a concise explanation of the subject matter defined in the independent claims involved in the appeal is provided herein. Appellant notes that representative subject matter is identified for these claims; however, the abundance of supporting subject matter in the application prohibits identifying all textual and diagrammatic references to each claimed recitation. Appellant thus submits that other application subject matter, which supports the claims but is not specifically identified above, may be found elsewhere in the application. Appellant further notes that this summary does not provide an exhaustive or exclusive view of the present subject matter, and Appellant refers to the appended claims and their legal equivalents for a complete statement of the invention.

GROUND'S OF REJECTION TO BE REVIEWED ON APPEAL

1. Rejection of claims 1, 3, 5-7, 9, 18-20, 23, 26 and 28-33 under 35 U.S.C. § 103(a) as being unpatentable over Gidumal, U.S. Patent No. 6,296,691 in view of Dodd, U.S. Patent No. 6,116,373.

2. Rejection of claims 22, 24 and 34 under 35 U.S.C. § 103(a) as being unpatentable over Gidumal, U.S. Patent No. 6,296,691 in view of Dodd, U.S. Patent No. 6,116,373, and further in view of Izumi et al., U.S. Patent No. 6,008,965.

ARGUMENT

I. Claims 1, 9 and 32 are not obvious under Section 103(a) based upon the combination of Gidumal and Dodd

Claims 1 and 9 are independent claims and set forth subject matter of Applicants' invention. Claim 9 reproduced below is representative of the subject matter of claims 1 and 9.

9. A data storage device comprising:
a housing;
a fluid flow region within the housing;
an airflow guide that projects into the housing and comprises an
elastomeric body forming a barrier surface in the fluid flow
region that is non permeable to fluid flow along a length of
the elastomeric body to guide the fluid flow in a desired path.

Claim 32 also recites an air flow guide similar to claims 1 and 9 and is reproduced below.

32. An assembly comprising:
a cover portion connectable to a base portion; and
an air flow guide formed on the cover portion comprising an
elongate elastomeric body including a raised body portion
formed of an extruded elastomeric material having a surface
contour formed by an outer surface of the extruded
elastomeric material.

The claimed subject matter of independent claims 1, 9, and 32 is rejected under 35 U.S.C. (a) as being unpatentable over Gidumal, U.S. Patent No. 6,296,691 in view of Dodd, U.S. Patent No. 6,116,373. Gidumal discloses a molded filter 11 for removing contaminants from an

enclosure, such as within a computer hard disc drive. Gidumal Abstract. Filter element 11 of Gidumal includes a molded section 15 and a planar filter layer 18. (see, FIGS. 1A and 1B of Gidumal). The molded section 15 of the filter element 11 includes walls formed of a multiple layered structure including an inner filter layer 22, another filtration layer 24 and an outer protective layer 26. Gidumal, col. 7, line 21 – col. 8, line 5. Filtration occurs as the air passes through the filtration layers to collect particulate. Gidumal, col. 7, lines 12-15. In illustrated embodiments, the filter 11 is capable of removing particulate contaminants from both incoming (external) air and recirculating air by performing both breather and recirculating functions when placed over a breather hole in a disc drive. Gidumal, col. 6, lines 47-53. In Gidumal, filter 11 is formed of a polymer material or membrane. Gidumal, col. 7, line 20 – col. 8, line 5. As acknowledged in the Office Action, Gidumal does not disclose an elastomeric body forming a barrier surface that is non-permeable to air flow along a length of the elastomeric body as claimed. (See Final Office Action, page 2).

Dodd discloses an acoustic horn for loudspeakers. Dodd Abstract. The horn includes side walls 12A, 12B, 14A, 14B that cooperatively form the horn body 10. Dodd, col. 3, lines 20-30. As taught by Dodd, the walls 12A, 12B, 14A, 14B or horn body 10 are formed of known metals or metal alloys, such as aluminum or an aluminum alloy. Dodd, col. 3, lines 15-20. A slot 24 is formed through at least some of the side walls 12A, 12B, 14A, 14B of the horn body. Dodd, col. 3, lines 39-47. Each of the slots 24 is filled with a vibration damping material 30. Dodd, col. 4, lines 4-5. The vibration damping material may be an extrusion of suitable plastic material, a hot melt adhesive or the slots can be filled with an elastomer and an adhesive material can be provided at the underside of the slot to hold the elastomer in place. Dodd, col. 4, lines 5-29. Dodd teaches vibration damping materials including plastics, adhesives and elastomeric materials to substantially reduce structural resonances of a one piece metal body.

Dodd, col. 4, lines 4-53.

As well established, the question of obviousness is resolved on the basis of underlying factual determinations including:

- (A) the scope and content of the prior art;

- (B) the differences between the prior art and the claimed subject matter;
- (C) The level of ordinary skill in the pertinent art; and
- (D) Any evidence of secondary considerations.

KSR Int'l Co. v. Teleflex Inc., 127 S. Ct. 1727, ___, 82 USPQ2d 1385, 1391 (2007) citing *Graham v. John Deere Co.*, 383 U.S. 1, 17-18, 148 U.S.P.Q. 459, 467 (1966). Often it will be necessary for a court to look to interrelated teachings of multiple patents; the effects of demands known to the design community or present in the marketplace; and the background knowledge possessed by a person having ordinary skill in the art, all in order to determine whether there was an apparent reason to combine the known elements in the fashion claimed by the patent at issue. *KSR*, at 1740-41, 82 U.S.P.Q.2d at 1396.

As set forth above, the prior art of Gidumal teaches a filter element for filtering particulate and the prior art of Dodd teaches an acoustic horn. In Gidumal, walls are permeable to allow air flow therethrough. See, Gidumal, col. 7, lines 11-15 and Declaration of Mo Xu, ¶ 3. In contrast the claimed subject matter provides an airflow guide comprising “an elastomer body forming a barrier surface . . . that is non-permeable to fluid flow along a length of the elastomeric body”. Despite the fact that Gidumal teaches a filter for filtering particulate, it is the Examiner’s position that it would have been obvious to employ the Dodd elastomeric material as the Gidumal filter wall to damp vibration and absorb sound. This rationale or position is erroneous for the reasons discussed below.

a. Gidumal teaches away from non-permeable walls for its filter structure.

As discussed above, Gidumal provides a molded filter structure for filtering particulate. The molded filter structure includes multiple filtration layers. Suitable filtration layers include filter papers or filter membranes, such as polypropylene membranes or cast polymeric membranes. Filtration occurs as air passes through the filtration layers. (Gidumal, col. 7, lines 11-13). As established by the Declaration of Mo Xu, one skilled in the art would recognize that the filter of Gidumal requires breathable walls for the purpose of filtration. Declaration of Mo Xu, ¶ ¶

1-3. Gidumal inherently teaches away from using a non-permeable material for the walls or filter layers of the molded filter structure since non-permeable walls with inhibit air flow and filtration rendering the proposed structure inoperable for its intended purpose. That the proposed combination would render the prior art or filter of Gidumal unsatisfactory for its intended purpose negates obviousness of the proposed combination. See, *In re Gordon*, 773 F.2d 900, 221 USPQ 1125 (Fed Cir. 1984).

b. The elastomeric material of Dodd would not provide a breathable wall for filtration.

As admitted in the Office Action, Dodd teaches a non-permeable elastomeric material, which does not provide a breathable wall for filtration. Office Action ¶ 3. Since filter 11 of Gidumal requires breathable walls for filtration, one of ordinary skill in the art would not form the wall of filter 11 of a non-breathable structure or interface as previously discussed. See Declaration of Mo Xu. When the Gidumal reference is considered as a whole, including the teaching of multiple a layered wall for filtration, it would not be obvious to employ the elastomeric material of Dodd as the filter wall of Gidumal.

c. Dodd discloses other damping materials in addition to an elastomeric damping material.

Dodd discloses filling slots of metal walls (formed of known metals or metal alloys) of a horn body with a vibration damping material. Dodd, col. 4, lines 4-10. The vibration damping materials disclosed in Dodd include any *suitable plastic material in addition to an elastomer damping material*. Dodd, col. 4, lines 4-28. Gidumal discloses molded filter layers constructed of polymeric membranes, such as polypropylene and thus, the combination teaches for example, a filter structure formed of a permeable plastic membrane having holes or pores to allow air flow therethrough, see Declaration Mo Xu ¶3, but does not render obvious an airflow guide formed of an elastomeric body or non-permeable barrier surface as claimed.

d. Gidumal teaches a damping material separate from the filter structure and thus it would not be obvious to form the filter wall of an elastomeric damping material

Gidumal discloses that the filter 11 can be adhered to a gasket material 40 as shown in FIG. 7 or a separate damping material 44 as shown in FIG. 8. Gidumal, col. 9, lines 25-35. As disclosed in Gidumal, the gasket material 40 and dampening material 44 do not form an airflow guide to guide air flow as set forth in the claimed subject matter. In Gidumal, the dampening material 44 and gasket material 40 are separate from the filter and themselves do not form an airflow guide which projects into the housing to guide fluid flow as claimed. It would not be obvious to form the filter wall of Gidumal of an elastomeric body to damp vibration for the reasons discussed and in addition for the reason that Gidumal teaches a separate damping element which does not interfere with the filtration function of the filter 11. Based upon the foregoing, Applicants respectfully request reversal of the Examiner's rejection.

II. Dependent claims 3, 5-7 and 26 are not obvious under Section 103(a)

Claims 3, 5-7 and 26 are dependent upon claim 1. As discussed above, the subject matter of claim 1 is not obvious under 35 U.S.C. § 103(a) based upon the combination of Gidumal and Dodd. Accordingly, claims 3, 5, 6, 7 and 26 are not obvious under 35 U.S.C. § 103(a) based *inter alia* on their dependency upon claim 1.

III. Dependent claims 18-20, 22-24, 28-31 and 34 are not obvious under Section 103(a)

Claims 18-20, 22-24, 28-31 and 34 are dependent upon claim 9. As discussed above, the subject matter of claim 9 is not obvious under 35 U.S.C. § 103(a) based upon the combination of Gidumal and Dodd. Accordingly, claims 18-20, 22-24, 28-31 and 34 are not obvious under 35 U.S.C. § 103(a) based *inter alia* on their dependency upon claim 9.

IV. Dependent claim 33 is not obvious under Section 103(a)

Claim 33 is dependent upon claim 32. As discussed above, the subject matter of claim 32 is not obvious under 35 U.S.C. § 103(a) based upon the combination of Gidumal and Dodd. Accordingly, claim 33 is not obvious under 35 U.S.C. § 103(a) based *inter alia* on its dependency upon claim 32.

V. Rejection of dependent claims 6 and 20 fails to consider each of the recited claim limitations

Claim 20 reproduced below is representative of the subject matter of claims 6 and 20.

20. The data storage device of claim 9 wherein the housing includes a base deck and a cover and the air flow guide is formed in place directly to the cover.

Pursuant to the *KSR*, in order to analyze the question of obviousness, the Office must determine the scope and content of the prior art and the differences between the prior art and the claimed subject matter. *KSR* at ___, 1391. In order to determine the differences between the prior art and the claimed subject matter, the scope and meaning of the claims must be ascertained. The determination of the scope of the claims must consider all of the claim limitations. *In re Wada and Murphy*, Appeal 2007-3733 (BPAI 2008), *In re Ochiai*, 71 F.3d 1565, 1572 (Fed. Cir. 1995). Obviousness must be established based upon “a searching comparison of the claimed invention – including all of its limitations - with the teachings of the prior art”. *In re Wada and Murphy*, (citing *In re Ochiai*, 71 F.3d 1565, 1572 (Fed. Cir. 1995)). “Thus, obviousness requires a suggestion of all limitations in a claim.” *In re Wada and Murphy* (citing *CFMT, Inc. v. Yieldup Inter., Corp.*, 349 F.3d 1333, 1342 (Fed. Cir. 2003))(citing *In re Royka*, 490 F.2d 981, 985 (CCPA 1974)).

With respect to claims 6 and 20, the claimed subject matter was rejected on the basis

that it would have been obvious to employ the elastomer material of Dodd as the filter walls of Gidumal to damp vibration. Office Action, pp 2-3. Further with respect to claims 6 and 20, the Office Action states that “it would have been an obvious matter of design choice to formed [sic] in place the airflow guide because it has been held that forming in one piece an article which has formerly been formed in two pieces and put together involves only routine skill in the art. *Howard v. Detroit Stove Works*, 150 U.S. 164 (1893)”. Office Action, page 3. This rejection of claims 6 and 20 on its face fails to evidence that the Examiner considered each of the claim limitations including wherein the housing includes a base deck and a cover and the airflow guide is formed in place directly to the cover. As understood in Gidumal, the filter is on the base deck supporting the spinning data storage disks or disks. Gidumal does not disclose wherein the air flow guide is formed in place directly to a cover as claimed. Since the Office Action fails to consider each of the claim limitations of claims 6 and 20, the Office Action fails to set forth a *prima facie* basis to reject claims 6 and 20.

VI. Rejection of dependent claim 29 also fails to consider each of the recited claim limitations

Claim 29 is dependent upon claim 9 and recites wherein the elastomeric body is extruded in an elongate “U” shaped pattern to form a “U” shaped body portion on the housing. Claim 9 was rejected for the reasons previously discussed and claim 29 is specifically rejected on the basis that “Gidumal teaches the limitations described in the claims (Figs. 1A-8; Col. 6, line 57-Col. 9, line 35)” and that the Examiner gives little patentable weight to the limitation describing the elastomeric material being extruding because the method of forming the device is not germane to patentability. The rejection provides no specific reference to consideration of wherein the elastomeric body is extruded in an elongate “U” shaped body pattern and that the “U” shaped pattern forms a “U” shaped body portion. As discussed above, since the Office Action on its face fails to consider each of the recited claim limitations, the Office Action fails to set forth a *prima facie* basis to reject claim 29.

VII. Rejection of dependent claim 30 also fails to consider each of the recited claim limitations

Claim 30 is dependent upon claim 9 and recites wherein the housing includes a base deck and a cover and the air flow guide is formed directly to a filter support of a filtration unit and the cover. Claim 30 is also rejected as quoted above on the basis that “it would have been an obvious matter of design choice to formed [sic] in place the airflow guide because it has been held that forming in one piece an article which has formerly been formed in two pieces and put together involves only routine skill in the art.” Office Action, page 3. There is no reference in the rejection to the specific claimed subject matter of an airflow guide formed directly to a filter support of a filtration unit and cover. On its face, the Office Action fails to properly consider each of the recited claim limitations and to ascertain the differences between the claimed subject matter and the prior art as required and as set forth in *Graham v. John Deere* .

VIII. Rejection of dependent claim 33 fails to consider each of the recited claim limitations

Claim 33 is dependent upon claim 32 and recites “wherein the elongate elastomeric body includes a curvilinear body portion and spaced leg portions extending outwardly from the curvilinear body portion. Claim 33 is rejected on the basis that Gidumal discloses an airflow guide that projects into the housing having an elastic wall and Dodd teaches an elastomeric material and it would have been obvious to employ the Dodd elastomeric material as the Gimudal filter wall. Again, there is no reference in the rejection to wherein the elongate elastomeric body includes a curvilinear body portion and spaced leg portions extending outwardly from the curvilinear body portion as set forth in claim 33. Thus, the Office Action fails to set forth a *prima facie* case to reject claim 33.

IX. Claims 22, 24 and 34 are not obvious over Gidumal, Dodd and Izumi

Claims 22 and 24 are dependent upon claim 9. Claim 22 recited below is representative of the subject matter claimed.

22. The data storage device of claim 9 further comprising a filtration unit in an interior of the housing wherein the filtration unit includes first and second filter supports to support a filter between the first filter support and the second filter support and the air flow guide is formed to the first filter support and the second filter support is spaced from the first filter support and the non-permeable barrier surface of the airflow guide is configured to direct fluid flow to or from the filter of the filtration unit.

Claim 34 further recites

34. The data storage device of claim 24 wherein the air flow guide includes a first elastomeric body portion formed directly to a first edge portion of the first filter support to form an inlet portion and a second elastomeric body portion formed directly to a second edge portion of the first filter support to form an outlet portion.

Claims 22, 24 and 34 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Gidumal in view of Dodd, and further in view of Izumi et al., U.S. Patent No. 6,008,965. Izumi discloses a rectification wall 32 and filter 40 for a data storage device. Izumi, Abstract. Claims 22, 24, and 34 were rejected on the basis that it would have been obvious “to employ the Izumi et al. configuration with the Gidumal and Dodd design because it would provide the versatility of having a [sic] airflow guiding system and a filtration unit in a same unit.” Office Action, page 4. The claimed subject matter is not obvious over Gidumal in view of Dodd and further in view of Izumi for the reasons previously discussed and in addition for the following reasons.

a. The Office Action contains no reason for forming the rectification wall of Izumi of an elastomeric material in view of Dodd.

As acknowledged on pages 3-4 of the Office Action, Gidumal and Dodd fail to teach “a first filter support adjacent the airflow guide and a second filter support spaced from the first filter support to support a filter between the two supports” as claimed. The Office Action provides however that Izumi discloses a filtration unit including a first filter support or rectification wall 32 being an airflow guide and a second filter support 39 spaced from the first filter support to support a filter 40 between the two supports. The Examiner considers the rectification wall 32 forms the airflow guide between inlet portion (at first edge 43) and an outlet (at second edge 41). In Izumi, the rectification wall 32 is formed of a synthetic resin material or metal and not an elastomeric material. Izumi, col. 5, lines 25-28 and col. 7, lines 57-60. The Office Action contains no rationale or reason to modify Izumi to form the rectification wall 32 of an elastomeric material and thus, the Office Action fails to establish that the claimed subject matter is obviousness.

b. The Examiner's rationale that the claimed subject matter is obvious is inconsistent with the Examiner's analysis of the Gidumal reference.

As discussed above, the Office Action states that “it would have been obvious to a person with ordinary skill in the art at the time the invention was made to employ the Izumi configuration with the Gidumal and Dodd design because it would provide the versatility of having a [sic] airflow guiding system and a filtration unit in a same unit”. Office Action, page 4. Gidumal discloses a filter 11 for removing contaminants from an enclosure. On page 2 of the Office Action, the Examiner states that the filter element 11 of Gidumal is an airflow guide. Thus, based upon the Examiner's own characterization, Gidumal is an airflow guiding system and filtration unit in the same unit. Based upon the Examiner's own characterizations, filter 11 is

already an airflow guide system and filtration unit in the same unit and thus there is no reason to modify Gidumal and Dodd in view of Izumi to provide both in the same unit since both are already in the same unit in Gidumal. Thus the reasons articulated by the Examiner for modifying Gidumal and Dodd in view of Izumi do not provide the required rationale underpinning to support a legal conclusion of obviousness as set forth in *KSR*, at 1741, 1396 (quoting *In re Kahn*, 441 F.3d 977, 988 (Fed. Cir. 2006)).

The Director is authorized to charge any fee deficiency required by this paper to Deposit Account No. 23-1123.

Respectfully submitted,

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Appendix

Claims Appendix

1. (previously presented) An enclosure comprising:
 - a housing; and
 - an airflow guide enclosed in the housing, wherein the airflow guide projects from the housing in an air flow path created within the housing, in which the airflow guide comprises an elongate elastomeric body forming a barrier surface that is non permeable to air flow along an elongate length of the elastomeric body to guide the air flow in a desired path.
3. (previously presented) The enclosure of claim 1 in which a portion of the elastomeric body is formed directly in place to the housing.
5. (previously presented) The enclosure of claim 1 in which the elastomeric body of the airflow guide essentially consists of one of a polyurethane or butyl material.
6. (previously presented) The enclosure of claim 1 wherein the housing includes a base deck and a cover and the airflow guide is formed in place to the cover.
7. (previously presented) The enclosure of claim 1 further comprising an adhesive joining the airflow guide to the housing.
9. (previously presented) A data storage device comprising:
 - a housing;
 - a fluid flow region within the housing; and
 - an airflow guide that projects into the housing and comprises an elastomeric body

forming a barrier surface in the fluid flow region that is non permeable to fluid flow along a length of the elastomeric body to guide the fluid flow in a desired path.

18. (previously presented) The data storage device of claim 9, further comprising an interface between the airflow guide and the housing which consists of unlike materials.

19. (previously presented) The data storage device of claim 9 wherein the elastomeric body is formed in place to the housing of a curable gel-like material.

20. (previously presented) The data storage device of claim 9 wherein the housing includes a base deck and a cover and the airflow guide is formed in place directly to the cover.

22. (previously presented) The data storage device of claim 9 further comprising a filtration unit in an interior of the housing wherein the filtration unit includes first and second filter supports to support a filter between the first filter support and the second filter support and the air flow guide is formed to the first filter support and the second filter support is spaced from the first filter support and the non-permeable barrier surface of the airflow guide is configured to direct fluid flow to or from the filter of the filtration unit

23. (previously presented) The data storage device of claim 9 wherein the airflow guide is spaced from a voice coil motor enclosed within the housing.

24. (previously presented) The data storage device of claim 9 and comprising a first filter support and the elastomeric body is extruded on the first filter support and a second filter support spaced from the first filter support to support a filter between the first and second filter supports.

26. (previously presented) The enclosure of claim 1 wherein the elongate elastomeric body is formed in place of a curable gel material.

28. (previously presented) The data storage device of claim 9 wherein the elastomeric body comprises a formed in place gasket material.

29. (previously presented) The data storage device of claim 9 wherein the elastomeric body is extruded in an elongate "U" shaped pattern to form a "U" shaped body portion on the housing.

30. (previously presented) The data storage device of claim 9 wherein the housing includes a base deck and a cover and the air flow guide is formed directly to a filter support of a filtration unit and the cover.

31. (previously presented) The data storage device of claim 9 wherein the elastomeric body is formed in place of a patterned extrusion of elastomeric material.

32. (previously presented) An assembly comprising:

a cover portion connectable to a base portion; and

an air flow guide formed on the cover portion comprising an elongate elastomeric body including a raised body portion formed of an extruded elastomeric material having a surface contour formed by an outer surface of the extruded elastomeric material.

33. (previously presented) The cover assembly of claim 32 wherein the elongate elastomeric body includes a curvilinear body portion and spaced leg portions extending outwardly from the curvilinear body portion.

34. (previously presented) The data storage device of claim 24 wherein the air flow guide includes

a first elastomeric body portion formed directly to a first edge portion of the first filter support to form an inlet portion and a second elastomeric body portion formed directly to a second edge portion of the first filter support to form an outlet portion.

Evidence Appendix

Declaration of Mo Xu - filed October 22, 2008 in response to non-final Office Action dated June 23, 2008.

Related Proceedings Appendix

There are no related proceedings - *none*.